

Remarks

In the office Action dated December 1, 2005, the specification was objected to for incorporation of a foreign application and claims 1-13 were objected because of informalities. Claims 1, 3, and 5-13 were rejected under 35 U.S.C. §102(b) as being anticipated by Neuschotz (US 3,035,797). In addition, claims 1, 2, 6-11, and 13-14 were rejected under 35 U.S.C. §102(b) as being anticipated by Shakesby (GB 552,722). Claim 4 was rejected under 35 U.S.C. §103(a) as being unpatentable over Neuschotz.

Applicants responded on February 3, 2006 by amending the specification and claim 1.

In the advisory action dated February 15, 2006, the Examiner indicated that the proposed amendments will be entered but that claims 1-14 continued to be rejected.

In this response, which is being filed together with a Request for Continued Examination ("RCE"), the specification and claims 1 and 14 have again been amended. Upon entry of the amendments claims 1-14 will be pending.

Reconsideration of the application based on the following is respectfully requested.

Objections to the Specification:

The Examiner indicated that the objection to the specification for incorporation-by-reference had been improper and that the applicants should again amend the specification to include the phrase deleted in the last amendment.

Applicants have again amended paragraph [0001] of the specification back to its original state.

Objections to Claims 1-13:

The Examiner has indicated that the previous objection to claim 11, line 2 has been withdrawn. Regarding the objections to claim 1, Applicants understand that the previous amendments to claim 1 have obviated the Examiner's objections.

Withdrawal of the objections to claims 1-13 is respectfully requested.

Rejection under 35 U.S.C. §102(b) over Neuschotz:

Claims 1, 3, and 5-13 were rejected under 35 U.S.C. §102(b) as being anticipated by Neuschotz (US 3,035,797).

Neuschotz describes a detachable connector for a fuel tank or other fluid containing cell of an aircraft. The detachable connector includes a tubular fluid tight interconnector 14 that extends between a pair of fuel cells 11. Interconnector 14 is detachably connected at each end to cells 11 using a pair of connecting assemblies 17, each including connecting ring 20, rigidly attached to (or integral with) interconnector 14 and a second ring 21 permanently attached to cell 11. Rings 20 and 21 are held together using a series of circularly spaced latches 22. Column lines 30-69 and Figs. 1 and 2.

Applicants have amended independent claim 1 to recite that the first and second tubular connecting elements each define a respective axis and have a mating wall parallel to the respective axis, and that one of the tubular connecting elements is telescopically slidable within the other such that the sliding contact occurs between the respective mating walls.

Support for the amendments to claim 1 is found in the specification, for example, at Fig. 2 and in the accompanying text.

Applicants respectfully submit that Neuschotz does not disclose at least those features of amended claim 1. On the contrary, Neuschotz discloses a connection arrangement that includes a frusto-conically shaped seal surface 29 of interconnector 14 centered about the main axis 30 that mates with a frusto-conical seat surface 30 on ring 21. See column 3, lines 8-13 and Fig. 2. None of the mating walls of the interconnector 14 and ring 21 are parallel to an axis defined by those elements.

Withdrawal of the rejections to claims 1, 3, and 5-13 under 35 U.S.C. §102(b) as being anticipated by Neuschotz is respectfully requested.

Rejection under 35 U.S.C. §102(b) over Shakesby:

Claims 1, 2, 6-11, and 13-14 were rejected under 35 U.S.C. §102(b) as being anticipated by Shakesby (GB 552,722).

Shakesby describes improvements relating to flexible or semi-rigid fuel containers for aircraft including connecting means for joining the interiors of a plurality of such containers. The tubular member includes a metal tube 7 with longitudinal incisions 8 to provide a splaying effect and an annular outwardly extending flange 9 provided with perforations to permit the member to be bolted to the interior container wall. Page 1, lines 76-81. A pipe 4 is inserted through the tubular member 7 by means of a clamp 13 fitted with an adjustment nut 14. Page 1,

lines 87-91 and Fig. 2.

Applicants have amended independent claims 1 and 14 to recite that the latching device is actuatable from outside the respective flexible tank through the respective flexible tank without opening the respective flexible tank.

Support for the amendments to claims 1 and 14 is found in the original specification, for example at paragraphs [0008], [0024], and [0026]. Thus, it is clear from the original specification that the flexible tank allows sufficient flexibility that the latching device can be felt through the tank pouch and can be unlatched using the thumb and forefinger to squeeze the flexible pouch over the latching mechanism sufficiently to release the latching mechanism. See dashed lines 2' in Fig. 2.

Applicants respectfully submit that Shakesby does not describe at least the feature of a latching device that is actuatable "from outside" one of the tanks and "through" the respective flexible tank without opening the flexible tank. In the advisory action, the Examiner asserted that Shakesby inherently describes access to the inside of the tank for unlatching the Shakesby latching device, either via an opening at the top of the tank or "via forcibly accessing the inside of the tank." Applicants respectfully submit that either of the two alternatives suggested by the Examiner necessarily require opening the Shakesby tank. The amendments to claims 1 and 14 clarify that the latching device of the present invention is actuatable without opening the flexible tank. That feature is neither expressly, nor inherently taught by Shakesby.

Withdrawal of the rejections to claims 1, 2, 6-11, and 13-14 under 35 U.S.C. §102(b) as being anticipated by Shakesby is respectfully requested.

Rejections under 35 U.S.C. §103(a):

Claim 4 was rejected under 35 U.S.C. §103(a) as being unpatentable over Neuschotz. Claim 4 depends from claim 1 and includes all of its elements.

Applicants respectfully submit that Neuschotz does not suggest at least the claim 1 features of tubular connecting elements having mating walls parallel to an axis of the tubular elements. Instead, Neuschotz teaches a conical mating surfaces.


Because claim 4 includes all of the features of independent claim 1, withdrawal of the rejection to claim 4 under 35 U.S.C. §103 is respectfully requested.

CONCLUSION

The present application is respectfully submitted as being in condition for allowance and applicants respectfully request such action.

Respectfully submitted,

DAVIDSON, DAVIDSON & KAPPEL, LLC

By: 
Thomas P. Canty, Reg. No. 44,586

DAVIDSON, DAVIDSON & KAPPEL, LLC
Patents, Trademarks and Copyrights
485 Seventh Avenue, 14th Floor
New York, New York 10018
(212) 736-1940